



Docket No.: 244118US0CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/692,738

Applicants: Koji OHSUMI, et al.

Filing Date: October 27, 2003

For: N-SUBSTITUTED PYRAZOLE-O-GLYCOSIDE
DERIVATIVES AND THERAPEUTIC AGENT FOR
DIABETES CONTAINING THE SAME

Group Art Unit: 1623

Examiner: Johnsen, J.H.

Allowed: February 9, 2005

SIR:

Attached hereto for filing are the following papers:

Letter to PTO

Supplementary European Search Report

Cited Reference - EP 1 364 957 A1

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter
Registration No. 32,884

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Vincent K. Shier, Ph.D.
Registration No. 50,552

DOCKET NO: 244118US0CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE



IN THE APPLICATION OF

MAY 05 2005

KOJI OHSUMI, ET AL.

SERIAL NO: 10/692,738

:

: EXAMINER: JOHNSEN, J. H.

: ART UNIT: 1623

FILED: OCTOBER 27, 2003

: ALLOWED: FEBRUARY 9, 2005

FOR: N-SUBSTITUTED PYRAZOLE-O-GLYCOSIDE DERIVATIVES AND
THERAPEUTIC AGENT FOR DIABETES CONTAINING THE SAME:

LETTER TO PTO

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants wish to make of record the enclosed Supplemental European Report issued on March 30, 2005 in a corresponding foreign application. In the Supplemental European Report, the European Search Authority identifies EP 1 364 957 as a patent of interest but notes that it is "an earlier patent document, but published on, or after the filing date" of the corresponding foreign application. Indeed, EP 1 364 957 published on November 26, 2003, while the above-identified application is a continuation of PCT/JP02/04238, filed on April 26, 2002. Therefore, EP 1 364 957 is not "prior art" for the present application. Further, Applicants note that EP 1 364 957 corresponds to International Publication No. WO 02/068439 (published September 6, 2002), which was cited in the present application on January 27, 2004, and was acknowledged as having been considered by the Examiner on February 9, 2005.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter
Attorney of Record
Registration No. 32,884

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220

Vincent K. Shier, Ph.D.
Registration No. 50,552